



December 18, 2024

Via ECF

Hon. Justin T. Quinn, U.S.M.J.
District of New Jersey
402 E State Street
Trenton, New Jersey 08609

Re: 1735 Jersey Ave LLC v. Luxe Living Design, LLC
Case No. 3:24-cv-06175
1735 Jersey Ave LLC v. Luxe Living Design, LLC et al.
Case No. 3:24-cv-06168

Dear Magistrate Judge Quinn,

I am an attorney with the law firm of Twersky PLLC, counsel for Defendant Luxe Living Design, LLC (“Defendant” or “Tenant”) in the captioned matter. I respectfully submit this letter in response to Plaintiff 1735 Ave LLC’s (“Plaintiff” or “Landlord”) Letter filed on December 11, 2024 (“Letter”), D.E. 44¹ and to further update the Court on this matter.

Plaintiff’s Letter states that “that [the] roof over the area leased by Defendant, Luxe Living Design, LLC (“Tenant”) has been replaced and all leaks have been ameliorated.” *See* Letter, D.E. 44. However, ***the roof is still leaking***, as can be seen in the videos here, which were taken on December 16, 2024:

<https://www.dropbox.com/scl/fo/ya5mqc55nfwnhp04anm8b/AKkzYjNfZOrUInxKBLsXQpI?rlkey=ihdkqafc8a0gqj9ybol3aazht&st=2ua7xljf&dl=0>

It is clear that the roof has not been adequately replaced, and Defendant should not have to pay the full rent at this time. Defendant further reiterates its request for Landlord to give it access to the roof in order to inspect it. Therefore, I respectfully request that the Court direct Landlord to authorize the roof inspection, before entering any order regarding the rent, or adjusting the rent amount.

Additionally, because the Commencement Date of the Lease is in dispute – as this goes to the very heart of the matter – should the Court deem it appropriate to increase the current rent amount at all, that rent amount should not be increased above the original rent amount noted in the Lease, of \$248,000.00.

If the Court requires additional briefing on this matter, Defendant requests a briefing schedule be issued. Thank you in advance for Your Honor’s understanding.

¹ The Docket Entries noted in this letter are from Case No. 3:24-cv-06168.

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Respectfully yours,


Aaron Twersky, Esq.